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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |  | ATTORNEY'S DOCKET NO.<br><b>690116.401USPC</b>                       |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/JP04/04378</b>  |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/550,924</b> |
| INTERNATIONAL FILING DATE<br><b>March 26, 2004 (26.03.2004)</b>   |  | PRIORITY DATE CLAIMED<br><b>March 28, 2003 (28.03.2003)</b>          |
| TITLE OF INVENTION<br><b>METHOD AND SYSTEM FOR RAPIDLY CONFERRING A DESIRED TRAIT TO AN ORGANISM</b>  |  |  |
| APPLICANT(S) FOR DO/EO/US<br><b>Mitsuru Furusawa</b>  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |  |
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Missing Requirements; Statement Under 37 CFR 3.73(b); Declaration re: Sequence Listing in CRF on CD-ROM</li> </ol> |  |  |

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| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/550,924  |              | INTERNATIONAL APPLICATION NO.<br>PCT/JP04/04378                                     |             | ATTORNEY'S DOCKET NUMBER<br>690116.401USPC |  |
| The following fees are submitted   |              |   |             |  |  |
| 21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....\$300.00   |              |   |             | \$ .00                                     |  |
| 22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary<br>examination report prepared by IPEA/US indicates all claims satisfy provisions<br>of PCT Article 33(1)-(4) .....\$ 0.00<br>All other situations.....\$200.00   |              |   |             | \$ .00                                     |  |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the international preliminary examination<br>report prepared by the IPEA/US indicates all claims satisfy provisions of<br>PCT Article 33(1)-(4).....\$ 0.00<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to<br>the USPTO as an International Searching Authority.....\$100.00<br>International Search Report prepared by an ISA other than the US and provided to<br>the Office or previously communicated to the US by the IB.....\$400.00<br>All other situations.....\$500.00 |              |   |             | \$ .00                                     |  |
| <b>TOTAL OF 21, 22 AND 23 =</b>  |              |   |             | <b>\$ .00</b>                              |  |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding<br>sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program<br>listing in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |   |             |  |  |
| Total Sheets   | Extra Sheets | Number of each additional 50 or<br>fraction thereof (round up to a<br>whole number) | RATE        |  |  |
| 488 - 100 = 388  | 388/50 =     | 8   | X \$250.00  | \$2000.00                                  |  |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or<br>declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |              |   |             | \$ .00                                     |  |
| Claims   | Number Filed | Number Extra  | Rate        |  |  |
| Total Claims   | 124 - 20 =   | 104   | x \$ 50.00  | \$5200.00                                  |  |
| Independent Claims   | 11 - 3 =     | 8   | x \$ 200.00 | \$1600.00                                  |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$360.00  | \$ .00                                     |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |             | <b>\$8800.00</b>                           |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |              |   |             | \$4400.00                                  |  |
| <b>SUBTOTAL =</b>  |              |   |             | <b>\$4400.00</b>                           |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the<br>earliest claimed priority date (37 CFR 1.492(i)).   |              |   |             | \$ .00                                     |  |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |             | <b>\$4400.00</b>                           |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |             | \$ .00                                     |  |
| Fee for extension of time to respond to Notification of Missing Requirements (37 CFR<br>1.136(a)). A Petition for Extension of Time is included.   |              |   |             | \$ .00                                     |  |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |             | <b>\$4400.00</b>                           |  |
| 10/16/2006 LLANDGRA 00000066 10550924<br>01 FC:2681 1000.00 OP<br>02 FC:2615 2600.00 OP<br>03 FC:2614 800.00 OP  |              |   |             | Amount to be<br>refunded:                  |  |
|  |              |   |             | Amount to be<br>Charged:                   |  |


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|---|---|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/550,924 | INTERNATIONAL APPLICATION NO.<br>PCT/JP04/04378 | ATTORNEY'S DOCKET NUMBER<br>690116.401USPC |
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a. ☒ A check in the amount of **\$4400.00** to cover the above fees is enclosed.  
 b. ☐ Please charge my Deposit Account No. **19-1090** in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
 c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **19-1090**. A duplicate copy of this sheet is enclosed.  
 d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.  
 e. ☒ If there is a deficiency in the basic national fee, the Commissioner is authorized to charge such deficiency to Deposit Account No. **19-1090**. A duplicate of this sheet is enclosed. This is **not** a general authorization to charge the Deposit Account for any extra claim, examination, search or extra sheet fees.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

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 United States of America  
 (206) 622-4900



# 42,676

SIGNATURE

for

NAME

50,461

REGISTRATION NUMBER

846292\_1.DOC

(07/05)

EXPRESS MAIL NO.  
EV529805581US

## UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/550,924                  | Mitsuru Furusawa      | 690116.401USPC   |

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| INTERNATIONAL APPLICATION NO. |
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PCT/JP04/04378

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 03/26/2004       | 03/28/2003    |

 William T Christiansen  
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RECEIVED

AUG 14 2006

SEQ LIST:

Oct. 7, 2006

MISS PATENTS:

Oct. 7, 2006

SEED INTELLECTUAL PROPERTY  
LAW GROUP PLLC

CONFIRMATION NO. 4614

371 FORMALITIES LETTER



\*OC00000019917517\*

ENTERED IN DOCKET

Date Mailed: 08/07/2006

ENTERED IN DOCKET

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/28/2005
- Copy of the International Search Report filed on 09/28/2005
- Copy of IPE Report filed on 09/28/2005
- Biochemical Sequence Listing filed on 09/28/2005
- U.S. Basic National Fees filed on 09/28/2005
- Priority Documents filed on 09/28/2005
- Specification filed on 09/28/2005
- Claims filed on 09/28/2005
- Abstracts filed on 09/28/2005
- Drawings filed on 09/28/2005
- Paper nucleotide sequence listings filed on 09/28/2005

COPY

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$3300 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$4300 for a Small Entity:

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The specification and drawings contain more than 100 pages. Applicant owes \$1000 for 388 pages in excess of 100 pages for a small entity in compliance with 37 CFR 1.27.
- Total additional claim fee(s) for this application is \$ 3300
  - \$700 for 7 independent claims over 3.
  - \$2600 for 104 total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

## PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/550,924                  | PCT/JP04/04378                | 690116.401USPC   |

FORM PCT/DO/EO/905 (371 Formalities Notice)